

109TH CONGRESS  
1ST SESSION

# S. 189

To amend the Head Start Act to require parental consent for nonemergency intrusive physical examinations.

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IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2005

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Head Start Act to require parental consent for nonemergency intrusive physical examinations.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. HEAD START ACT AMENDMENT IMPOSING PA-**  
4                       **RENTAL CONSENT REQUIREMENT FOR NON-**  
5                       **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
6                       **TIONS.**

7       The Head Start Act (42 U.S.C. 9831 et seq.) is  
8       amended by adding at the end the following:

1 **“SEC. 657A. PARENTAL CONSENT REQUIREMENT FOR NON-**  
2 **EMERGENCY INTRUSIVE PHYSICAL EXAMINA-**  
3 **TIONS.**

4 “(a) IN GENERAL.—A Head Start agency shall ob-  
5 tain written parental consent before administration of any  
6 nonemergency intrusive physical examination of a child in  
7 connection with participation in a program under this sub-  
8 chapter.

9 “(b) DEFINITION.—The term ‘nonemergency intru-  
10 sive physical examination’ means, with respect to a child,  
11 a physical examination that—

12 “(1) is not immediately necessary to protect the  
13 health or safety of the child involved or the health  
14 or safety of another individual; and

15 “(2) requires incision or is otherwise invasive,  
16 or involves exposure of private body parts.”.

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